

INDIAN AFFAIRS.

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SPEECH

OF

HON. WALTER A. BURLEIGH,

OF DAKOTA,

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,

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## INDIAN AFFAIRS.

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On the subject of Indian affairs in the United States and Territories—

**Mr. BURLEIGH.** Mr. Speaker, the proper management of our Indian affairs has become so important to the country, and is so imperfectly understood by many members of this House, that I have ventured to bring before this body my views upon the subject.

Since I first entered the Thirty-Ninth Congress we have had no well-defined, settled line of policy for the government of the two hundred and fifty thousand Indians who are scattered over the western third of this continent. For every Indian outbreak there have been a dozen plans of pacification. For every fraud upon the Government there have been as many remedies proposed; for every imaginary and real disorder of this department of the public service a multitude of sovereign panaceas has been prescribed. Congress has been taxed to its utmost for some plan by which a permanent and lasting peace might be secured, the Indians subsisted, and the Federal Treasury protected. And, I regret to say, that from our whole past experience in the management of our Indian affairs little appears to have been learned, and quite as little accomplished in the settlement of this vexed question.

When a scientific physician is called in to prescribe for a patient laboring under disease, his first effort is to discover its true character and its cause, in order, if the malady be curable at all, that he may act understandingly and apply his remedial agents for the restoration of his patient. If, on the contrary, the medicine-man be a quack, the character, the cause, the pathology of the disease are entirely neglected, and the batteries of the charlatan's drug-shop are at once leveled at the citadel of life, and the patient, if he survives the disease, does so in spite of his doctor.

Now, Mr. Speaker, I do not mean to accuse any member of this House of being a quack, professionally or otherwise, for I believe that every one here has done the best he could, with the knowledge he possessed, to settle our Indian troubles. I believe Congress has acted with the utmost wisdom so far as it has had accurate information to guide it; but, sir, there has been a sad deficiency and want of actual practical knowledge regarding our Indian tribes, their habits of life, their customs, the relations which they sustain to each other, and to the white population which surrounds them, and with which they are thrown in contact.

Let us go back a few years and review a little of the past, for by this light we may better judge the future.

For a whole generation, at least, our country has been agitated in all its ramifications, civil, political, social, and religious, by a lively concern for the African race, not an indigenous, but an imported race, brought hither by our fathers for reasons which the circumstances, if not the nature of that degraded people, seemed to suggest and approve. The admitted evil of domestic servitude, the motive of this compulsory immigration, and all the wrongs and cruelties incident to it, have not yet settled the great question of the ultimate good and beneficent effect of the movement. It is for a future age to solve the problem whether slavery, as it has existed in the United States, has not been under the guidance of an overruling Providence, the most efficient and most direct, if not the only practical mode of raising the African from abject barbarism to the enlightenment of civilization and the healing influences of Christianity.

The abstract wrong of the institution, however, has been sufficient to enkindle all our ideas of freedom, crude and unsound as they

too often have been, into a flame of discordant action, which has threatened the peace of the nation, the commercial and social welfare of the people, the benign purposes of the church, the administration of public affairs, the very stability of the Government, and the disruption of every social bond. The issue of the "irrepressible conflict," although nearly completed, still leaves in our bosoms a feeling of solicitude for the future, while we boastfully rejoice at the present measure of our success. But, sir, there is an interest of greater moment, involving mightier considerations and more dreadful responsibilities which imposes upon our Government and our people more serious obligations than were ever demanded by the enslaved condition of the African race among us. This interest, notwithstanding its paramount importance, and its constant and accumulating claims upon us, has, from the very settlement of the country, been practically overlooked or neglected or tampered with, or perverted, from considerations of temporary policy, or from the basest and most sordid and sinister motives. Jefferson's famous exclamation that in view of the injustice of African slavery this nation had occasion to tremble at the justice of the Almighty, has a twofold significance when applied to the glaring injustice which the aborigines of this country have received at the hands of our people. True, there are many noble private examples of religious and moral regard for the Indians, who were the primitive and rightful "lords of the soil." Christianity and benevolence have from time to time devised the worthiest and, so far as human foresight could reach, the most practicable schemes for the amelioration of the miserable condition, and for the advancement of these "sons of nature."

I think it must be admitted that the policy of the Government toward them has not been wise or humane. Its professions, to our shame it must be said, have been merely nominal. The fate of the poor Indians, from the origin of our contact with the race to the present hour, illustrates the truth of the adage that wise and good professions may exist with cunning and cruel practices. Private enterprises, however well devised and zealously pursued, have failed of success through the demoralizing influences of public faithlessness and wrong doing, until the public sentiment has settled down upon the unchristian and inhuman hypothesis that the Indian tribes are doomed by their Creator to extermination from the face of the earth, in the midst of their ignorance and barbarism, and before the very eyes of a people who pride themselves upon their peculiar enlightenment, and who boast of an especial mission to "extend the area of freedom," and to fill the world with the truest ideas of an exalted humanity and the highest standard of Christian civilization. The hearts of our people have become callous under the hardening

influence of this misguided theory. The continued dropping of falsehood and deception has worn away the faith and extinguished the hopes of the sincere friends of the Indian. The fatalism with which we regard the race, and the arrogance of our cherished theory of "manifest destiny," have afflicted us with a fatal blindness and deafness as to the real condition of this people, and the loud calls upon humanity and justice in their behalf. Who now so bold as to lift up his voice in defense of the just claims of the American Indian, once so full of the enjoyments of the natural rights of man? Where are his advocates; where the societies organized to redeem him from the bonds of public injustice and the cruelties of private rapacity? Where are the orators, the lecturers, and the editors to "cry aloud and spare not" in the exposition of his wrongs, and the denunciation of his oppressors?

The cruelties of African slavery are tender mercies when contrasted with the hardships endured by the Indians under the nominal protection of our laws. The chains of domestic servitude are silken threads when compared with the fetters which hold the Indian in brutalizing bondage. African slavery has passed away; its foul blot upon our nation has been washed out in the best blood of the land. May we not now indulge in the hope that the time has come when the national conscience may be awakened, and the public sentiment aroused to the obligations which rest upon us to protect the remnants of the scattered Indian tribes which still linger among us, and advance them as far as possible in the arts and comforts of civilized life? We owe them a debt which, do the best we may, we can never fully discharge. Our treaties with them are full of unredeemed pledges. The demands of public faith and justice and the dictates of common humanity alike require that this subject be no longer delayed.

We have driven the Indians from their homes without compensation and without mercy. We have wrested from them the title to their lands by pretended, or at least ostensible purchase. We have withheld the payments until they were comparatively valueless, or refused them altogether upon unfounded pretexts. We have paid them in depreciated currency, when we agreed by solemn treaty to pay them in gold and silver; we have paid them in worthless trash, when we promised them the money for their lands; we have defrauded the Indians in the fulfillment of our stipulations for their clothing and food and their agricultural, mechanical, and educational advancement; we have failed to afford them our promised protection against the worse than barbarous whites who infest their settlements; we have hunted them down and murdered them like wild beasts of the forest; and, what is worse than all these, our people have polluted every tribe in the land by



poisoning the very fountains of life, from which the Indian springs, with the most loathsome of diseases, more poisonous and destructive to the race than the sting of the scorpion, the bite of the serpent, or the leprosy of old; we have, in a word, violated every feature of our plighted faith in regard to them, and have seen them degenerate, suffer, and perish under our positive oppression or cruel neglect, while we have held them to the severest accountability for all the pledges of obedience and good behavior which we have extorted from them in our treaty negotiations. Our official records will fully substantiate all these allegations, disgraceful and humiliating as they are to our national pride and honor.

Let us go back for a few years and review some of our Indian transactions, and see if we cannot discover a rational cause for our past and present Indian difficulties. The whole country has been shocked with the reports of Indian wars and outrages. Let us look back and see if the sin or any part of it lies at our door.

The Creek treaty, the first in magnitude and importance under the removal system, was justly charged with being negotiated without the authority of the Creek nation. Mr. Benton, who in his published memoirs has elaborately considered the subject and was scrupulously anxious to screen the Government from imputations of injustice, says:

"The treaty was adopted as an act of justice to the South. The rights and the welfare of the Indians were minor considerations."

Justice to the South was a concession, without regard to public justice, to the demands of Georgia and other southern States who coveted the rich lands then in rightful possession of the Indians for the avowed purpose of extending the area of slavery. Mr. Benton calls it a southern question, and lauds the magnanimity of the northern men by whose votes the treaty was carried in the Senate. The removal of the Indians from the southern States at that time nearly or quite doubled the area of slavery.

The Creek treaty was signed at Indian Springs in 1825; McIntosh, a chief without due authority, being the principal negotiator on the part of the Indians. He and the chief with him, who was foremost in making the treaty, were justly execrated by the disaffected party of the Creek nation, as soon as the existence of the obnoxious instrument became known. The disaffected Indians were open and bold in their opposition to the treaty, and determined upon forcible resistance to the execution of it. Georgia resolved, without waiting for the action of the General Government, to take forcible possession of the territory ceded by the pretended treaty. John Quincy Adams, who was then President, became satisfied that the treaty had been made without due authority and that its

execution ought not to be enforced. He interposed the power of the General Government, therefore, and sent General Gaines with Federal troops to Georgia to arrest the proceedings, and finally assembled the chiefs and head men of the tribe at Washington and concluded a new treaty, which annulled the first one and changed some of its features most objectionable to the Indians. This second treaty was carried in the Senate with considerable difficulty, being opposed by the southern Senators, who objected to the clause which amended the McIntosh treaty on the ground that it implied a censure upon its authors.

This second treaty, however, was anything but satisfactory to the Creek nation; but being ostensibly concluded by authority, was submitted to—as such treaties are generally submitted to on the part of the Indians—as a necessary evil. It was obtained as Indian treaties usually are obtained, by fraud, the foulest bribery having been resorted to achieve the inglorious triumph. Out of \$217,600, the amount stipulated to be paid to the Creek nation immediately after the ratification of the treaty, the modest sum of \$160,000 was by secret agreement to be retained as a private fund and divided among the chiefs, or certain of them who had negotiated the treaty. The discovery of this fraud was made after the treaty was ratified and before the appropriation to carry it into effect was made. Measures were taken, but whether they were ever carried out or not is unknown, to defeat the fraud by making a distribution of the corruption fund among the Creek nation. He must be an incorrigible confidence man who believes that this was ever done.

Again, the treaty under which the Cherokees were removed from Georgia and Alabama was a still more glaring instance of injustice. Its history is a foul blot upon the annals of our Government. From its inception to its consummation it was a monstrous fraud upon the Indians.

If nations under a just Providence are to be rewarded or punished in this world according to their deeds—and we have no authority in Revelation or reason for presuming upon national accountability in a future state—we may regard all the massacres, outrages, troubles, and expense which have been entailed upon us by our Indian policy as but insignificant items to our credit in the retributive account which must sooner or later be made up between us and the red man.

The Cherokee treaty was concluded at New Echota, in 1835, notoriously without authority on the part of the Indians. The chiefs who negotiated it, or, to speak more plainly, from whom it was extorted, were few in number and not recognized as such by their people, but acted without authority, and in direct opposition to a vast majority of the Cherokee nation. The

treaty conceded to us about eleven million acres of the best land in Georgia and Alabama, then held by this semi-civilized people, and to a great extent cultivated by them. The consideration was merely nominal. Every student of American history must remember the excitement which this treaty produced throughout the country and the influence it exerted upon our national politics. When the treaty was presented in the Senate Mr. Clay offered a protest against its ratification, and proposed to adopt in its place this resolve:

"That the instrument purporting to be a treaty concluded at New Echota between the United States and the chiefs and head men of the Cherokees was not made and concluded by authority of the Cherokee nation competent to bind it, and therefore the Senate cannot consent to advise the ratification thereof."

The treaty was confirmed, however, after a long discussion—by a strict party vote and by a majority of one only—unjust and fraudulent as it was. Its execution was decreed and insisted upon by the Government in spite of the continued remonstrance and determined opposition of a vast majority of the Cherokee nation. This majority maintained that they were not in any manner bound to the fulfillment of the treaty to which they had never assented, and resolved that they would not remove from their country in compliance with its stipulations, if it were possible to avoid it. Government decided to effect the removal by force, if necessary, and Georgia raised a large body of volunteers to aid in the ignoble design. General Scott was ordered to New Echota to accomplish the removal, peaceably if possible, but at the point of the bayonet if need be. The inflamed and greedy volunteers were already on the ground, with claims in their pockets for the land, which had been divided in advance between them by a sort of lottery. A gentleman who was in Georgia at the time, and had an opportunity to hear General Scott freely express his sentiments upon the subject of his mission, was curious enough to reduce his remarks to writing immediately after they were uttered. The memory of General Scott deserves that these words should be made public; they were literally as follows. He said:

"I am charged with the execution of the treaty with the Cherokees, by which they are to remove on the 23d of the present month, (May, 1837.) I am to cause the treaty to be carried into effect and the Indians to remove, peaceably if possible, but forcibly if necessary. I shall make the bayonet the very last resort, and shall consider it very unfortunate for the country if blood is shed in enforcing the treaty. Georgia, Alabama, South Carolina, and Tennessee are impatient for the execution of the treaty, but it must be remembered that there are twenty-two other States in the Union, and the whole Union is committed in this thing. If there be butchery in the business depend upon it there will be a cry of horror throughout the country. It will be a stain upon the annals of our country—a damning disgrace. There is a very strong feeling in a large portion of the country of injustice in compelling the Cherokees to

remove under this treaty, and I repeat it, should there be butchery in the matter we shall be damned to everlasting fame in a large portion of the country, in Europe, and throughout the civilized world, in song, in poetry, in oratory, in the pulpit, and in the lasting records of history; and who would wish to connect himself with such infamy?

"The treaty was made by about three tenths of the Cherokee nation and seven tenths are in opposition to it and will not go until they are carried away. The President says the treaty is the supreme law of the land, and Congress says so, too, and it is not for me, a soldier, to disobey their orders in regard to it."

Those who had been the active parties in making this treaty were already on the ground, "with their patents in their pockets," "eager to seize the land." The cupidity of our own people, aided by the strong arm of Federal power, had conceived and completed this wholesale act of robbery upon these poor Indians. With the Cherokees and kindred tribes about this time our wholesale system of national rapacity toward this people was thoroughly inaugurated. These and kindred acts of disgraceful injustice were construed by many of our people into a national license to the commission of every act of cruelty and wrong toward the whole Indian race, and from that time to the present have served as a pretext or excuse for any and every act of fraud toward this people. But, sir, the commission of this great crime on the part of our Government was followed by others of a similar nature. Old treaties were abrogated by the arbitrary and despotic mandates of Federal authority, and new ones prescribed and forced upon the poor Indians at the point of the bayonet whenever their lands were wanted, and the Indians refused to surrender their right to them peaceably.

By the treaties between the Government and the Creeks of 1790, 1796, 1802, 1805, 1814, 1818, and 1821, the United States, by its commissioners, guaranteed to the Creek nation the perpetual right to all the lands occupied by them in the State of Georgia. In the ratification of these treaties, the Senate of the United States, as a part of the treaty-making power of the Government, indorsed the bond and affixed its seal to it. The House of Representatives gave its sanction by making the necessary appropriations to carry each of these successive treaties into effect. By these negotiations the Government not only bound itself to secure to the Indians the peaceful and undisputed possession of their lands, but obligated itself to protect them in their full and free enjoyment. (See Statutes-at-Large, vol. 7, page 35, articles five and six of treaty.) And not only this, but they guaranteed them full and ample protection against the rapacity of all white intruders who should attempt to invade their country.

By seven solemn treaties with the Creeks, by eleven equally solemn negotiations with the Cherokees, and as many more with the Chickasaw and Choctaw nations, between the years 1785 and 1825, the Government of the United



States, in consideration of the cession of a part of their territory, guaranteed perpetual possession and perfect security in the enjoyment of their rights. To these Indians national faith was pledged, and as often broken. National guaranties of security were given to the Indians without the intention of keeping faith. A system of robbery, rapine, and murder was here inaugurated by Federal sanction and by Federal action, which has resulted in degrading, brutalizing, and annihilating the Indian race.

But there is another example still more striking than these. In the darkest hour of our revolutionary war with Great Britain, when our forefathers were struggling for life against the gigantic power and vast resources of the mother country, the proud mistress of the ocean, a flickering ray of hope was shed on the gloom overshadowing their cause by two treaties of alliance made with the United States, one on the part of France and the other on the part of the Delaware nation, both of them concluded with great solemnity and ratified by acts of Congress in 1778. Great Britain had subsidized the Six Nations, the Mohawks, the Iroquois, and other tribes, and armed them to aid the troops of the Crown in their efforts to defeat the colonial forces. The emissaries of George III had circulated reports among the Indian tribes that the United States designed to extirpate the Indians and take possession of their country; and it was necessary to pledge the faith of the Government to the Delawares by that solemn treaty so as to arrest the disasters of the war, and secure the aid and coöperation of that powerful nation. On the 17th of September, 1778, the said treaty was concluded at Fort Pitt under the title of "Articles of agreement and confederation," made and entered into by Andrew and Thomas Lewis, esqs., commissioners for and in behalf of the United States of one part, and Captain White-Eyes, Captain John Kill-Buck, jr., and Captain Pipe, deputies and chief men of the Delaware nation of the other part. By this treaty all former offenses were mutually forgiven, and perpetual peace and friendship declared to subsist between the United States and the Delaware nation from thenceforth through all succeeding generations; a perpetual alliance, offensive and defensive, declared; an engagement on the part of the Delawares to aid the United States by furnishing their best and most expert warriors; to permit the United States troops to pass through the lands of the Delaware nation; to supply the colonial troops with corn, meat, horses, and everything else within their power. And in order that the old men, women, and children of the Indians should be protected while their warriors were battling for their own liberties and the liberties of our fathers, the United States agreed to build a fort to shelter and defend them against the dreaded attacks of the Mohawks and the Six Nations, and gar-

rison it with United States troops if any could be spared.

The fourth article provides for the administration of justice by impartial trials before judges or juries of both parties, according to the laws, customs, and usages of the contracting parties, and for the surrender and delivery of criminal fugitives, servants, and slaves escaping from the respective States of the Delaware nation and the United States.

The fifth article declares that the confederation entered into by the Delaware nation and the United States renders the Indians dependent on us for clothing equipments, and munitions of war; to provide for which an Indian trading agent is to be appointed by the United States, with an adequate salary, whose chief aim is to be the advancement of the mutual interests of the confederating parties.

The sixth article recites that—

"The enemies of the United States have endeavored by every artifice in their power to possess the Indians in general with an opinion that it is the design of the States aforesaid to extirpate the Indians and take possession of their country; to obviate such false suggestions the United States do engage to guaranty to the aforesaid nation of Delaware and their heirs all their territorial rights in the fullest and most ample manner, as it hath been bounded by former treaties, as long as they, the said Delaware nation, shall abide by and hold fast the chain of friendship now entered into. And it is further agreed on between the contracting parties, should it be found conducive for the mutual interest of both parties, to invite any other tribes who have been friends to the interest of the United States to join the present confederation and to form a State whereof the Delaware nation shall be the head, and have a representation in Congress."

By the law of nations this treaty bound the United States to protect the rights thus guaranteed to the Delaware nation. The territorial right to a State as large as Pennsylvania was expressly conceded to the Delawares as a nation by this treaty. It was under these promises and guarantees that the most expert and best warriors of that nation went forth to battle for the cause of liberty for themselves and our forefathers. Many of the best scouts were drawn from the warriors of the Delawares. Six hundred effective warriors were furnished General Washington by this devoted tribe during one season. The United States and the Delawares were both fighting on the same issue—for independence of the British Crown and of all the world. The brave warriors of the Indian nation fought our battles; the tribe supplied our troops with food and horses; we paid them in continental money, unredeemed specimens of which remain among the Delawares to this day; the war of independence closed with a halo of glory; the celebrated Delaware chief, Hengue Pushees, had won the rank of lieutenant colonel for his courage, daring, and efficiency as a scout. He was gratefully thanked by General Washington for his invaluable services in the war of the Revolution; and this red hero, with his brave fol-

lowers, went home to their wigwams to prepare for the admission of their State into the Union.

Where are they now? Alas! their graves are no more; their hearts have been broken by our ingratitude, by our base refusal to keep our treaty stipulations. On the 21st of January, 1785, (see *Indian Treaties*, page 16,) they are removed with the Wyandotts to Ohio and Indiana; this is to be the new State promised them. On the 9th of January, 1789, (page 23,) a part of the land ceded is taken away; on the 3d of August, 1795, (page 49,) many other Indian tribes are placed on the Delaware lands; in June, 1803, (page 74,) their boundaries are diminished; on the 18th of August, 1804, (page 81,) they surrender more of their lands; on the 4th of July, 1805, (page 87,) a new boundary is established, and on the 21st of August, 1805, (page 95,) the Delawares release to the United States a portion of their lands; on the 30th of September, 1809, (page 113,) another cession is made to the United States, and the United States commissioners pretended that the lands allotted to the Delawares and Wyandotts belonged to the Miamis; on the 22d July, 1814, (page 118,) the war with Great Britain induced us to make a second war treaty with the Delawares to procure their aid, and to make a second faithless promise to establish the boundaries of their lands forever; on the 8th of September, 1815, (page 131,) the United States recognized the fidelity of the Delawares in taking up the tomahawk and going on the war-path in defense of their unselfish allies, of the pale faces; on the 3d of October, 1818, they ceded all their lands in Indiana, the Ohio lands having been ceded before; they removed to the White river in Missouri and Arkansas, and on the 24th of September, 1829, (page 326,) they are removed to the lands between the Kansas and Missouri rivers, and a broken fragment of the nation that had gone to Cape Girardeau, in 1793, where they had received a grant from the Spanish governor for lands west of the Mississippi, was also driven west of the Missouri into Kansas. But they are to hold these Kansas lands forever; this was to be their last removal; the boundaries were fixed by two large rivers, and the other two lines made the square complete which they were to hold forever. They were now happy; they had made great progress in agriculture and manufactures, in the raising of horses, sheep, and cattle; and another fragment of the nation had been removed from a fertile, beautiful tract of land on the Sandusky river to a permanent home in Kansas, under the promise that the Delaware nation should thereby be united under one head, and that thirty-six sections of land should be appropriated for the establishment of schools for the education of the Delaware children.

Where are these brave Delawares now? They have been driven from this last permanent home down near the Canadian river, and

a pitiful tract of eighteen miles square is all the territory that remains for this once mighty nation which was to form a State; to have representation in Congress; to hold the vast lands held by them in 1778 by fixed boundaries as an independent State. That pitiful tract of eighteen miles square of land would hardly furnish sepulture for the heroes of that nation who have sacrificed their lives in battle in two great wars, and for the martyrs of that nation whose blood has been shed and whose hearts have been broken by the tyranny, ingratitude, and cruelty of this magnanimous Government, whose Christian mission has been proudly proclaimed to the world to be to protect, nourish, cherish, civilize, educate, and defend these wards and pupils of American civilization! With the history of this Indian nation before us, these friends of William Penn, these allies and soldiers of George Washington, these allies and soldiers of General Harrison, will not be disturbed in their new home until some adjoining marauding band of pale-faced robbers covet it and apply to the Government of the United States to further protect, cherish, and befriend their ancient allies, the Delawares, by driving them back to the waste of the American desert, where they will perish of hunger and furnish a poor repast for the prairie wolves!

The Government of the United States will sooner or later be called upon to answer for these crimes against humanity—not before the executive department, which has been instrumental in negotiating these treaties; nor before the Supreme Court, whose decisions have unjustly taken away the protection of treaties and of the Federal Constitution from these children of the Republic; nor before the Senate, where all these unjust treaties have been ratified; nor before the House of Representatives, which has appropriated all the means necessary to carry them into effect, and the blood-money also for the extirpation of this people whom we had agreed to protect; but at the bar of Eternal Justice, where the spirits of the warriors and chiefs of these nations will stand the equals of the Presidents, judges, Senators, and Representatives of our people; and receive judgment on this long indictment—a judgment that shall direct an execution too terrible to be recorded, and without which the awful retributions of Divine Providence could not be sustained.

The confiding Indians believed in the sincerity, the lasting good faith of the Government when they made these first treaties. I now ask this House and the nation if their loss of all faith and confidence in this Government and its people is not as just as it is here easily accounted for? Every one of these treaties was made with the most solemn assurances on the part of the Government that all of their provisions should be fulfilled, knowing at the same time and intending, without even suggesting



it to the Indians, that they were to be violated by this moral, Christian nation, whenever a profitable opportunity should present itself.

I have dwelt thus long upon the dealings of our Government with the Indian tribes of the country to show that our past and present wars and disturbances with these people are justly chargeable to heartless usurpations, national bad faith, and cruel treatment toward them, and not to the faithlessness of a few Indian agents, about which we have heard so much of late;—especially from the chairman of the Military Committee of this House, who appears to be the champion of the measure which proposes to turn the management of all our Indian affairs over to the War Department.

Never before were such insignificant causes assigned for such terrible consequences. A nation scourged with war, robbery, and murder for three fourths of a century, for the crimes of an exceptional few of its people, while the most flagrant wrongs are allowed to go unpunished! Who so unmindful of the teachings of history, who so blind to the dealings of God with the nations of the earth, as to believe that the terrible war, the fiery trials, the fearful carnage, the wide-spread desolation, and all the horrors from which our nation is now emerging, crippled, impoverished and demoralized, have been caused by the cruelty a few hard task-masters to some of the four millions of poor downtrodden slaves, whose shackles and chains, if not literally riveted upon them, have been sanctioned by the Federal Government and recognized by the Constitution and laws, from the first dawn of our national existence.

It was for this and other national crimes, and not for the sins of a few task-masters, that the Almighty poured out these vials of divine wrath upon us. Let us not further provoke that wrath; let us commit no more murders, robberies, crimes, and outrages upon these original lords of the land we inhabit; let us turn from the evil of our ways, repent of these our national sins, and restore to these oppressed and suffering children of our "Father who is in heaven," the rights, privileges, and immunities to which they are entitled by every consideration of justice, equity, humanity, and law. As well might the student of sacred history attribute the destruction of Sodom and Gomorrah by fire from heaven, to the negligence of the keepers of their city gates; the overthrow of Pharaoh and his host in the Red sea to the occasional cruelty of Egyptian task-masters toward the Jewish bondmen, or the destruction of Jerusalem, "that killest the prophets and stonest them that were sent unto thee;" to the disobedience by the Jews of the Mosaic law forbidding the use of fire on the Sabbath, as for the people of these United States to delude themselves with the belief that our recent national calamities and sufferings as well as our

present unjust and fruitless Indian wars, with all of their accompanying horrors, are not a just visitation and punishment from the Almighty for these national sins against the black man and the red man, who were committed to our care and protection by Him who ruleth not only the world and all that therein is, but the wide empire of creation.

It was the violation of the laws of humanity, the laws ordained of God for the preservation of the human race, to break the bonds of sin and elevate the souls of men, that has in all ages drawn down his vengeance on guilty nations. In the exercise of this divine retributive justice we see by the light of history such exhibitions of His irresistible power, of His unfailing justice, and of His eternal judgments, that I tremble in view of the terrible record of my own nation, which must be judged before "the high court of Heaven."

Where are the Assyrians, the Egyptians, the Persians, the Greeks, and the Romans? Where are the cities of Babylon, Nineveh, Tyre, Thebes, Jerusalem, and Tadmor of the wilderness? Rome, once the mistress of the world, captured savages from the Briton and the German tribes, more barbarous and untutored than our own, and used them to grace her cars of conquest and furnish combatants in the arena of the Coliseum, where they were matched in deadly strife against their fellow-savages or ferocious beasts of prey. Where are the descendants of these savages now? Where are the descendants of their Roman oppressors?

Are we imitating the examples of the pagan Romans? We do not capture our red brethren and exhibit them in mortal combat with each other or beasts of prey in our public theaters and parks for the amusement of the populace, but we are, and have always been, engaged in robbing them of their lands, in degrading, murdering, and exterminating them without regard to age or sex. This is the direct effect of the past and present Indian policy of this Government. While the Christian philanthropists are offering up their supplications and making every effort to send the gospel to distant heathen lands, there are to be found not only self-styled philanthropists and professed Christians, but ministers of Christ even who openly advocate the extermination of their Indian brethren with the same tongue that preaches the divine doctrines of love to our neighbor and "peace on earth and good will toward men."

These shameful transactions have not been confined to the poor Creeks, Cherokees, and Delawares alone, but they have extended to every tribe in the country which is under the control of Federal authority, and the man who cannot see other and more potential causes for our Indian wars than the dishonesty of agents, of which we have heard so much of late, is as

ignorant of their true cause as he would be of the contents of a volume by the character of its binding. I tell you, sir, it is for the sins of the nation, for its cruelty to these people, that we are, and have been for years, atoning.

The failure of Congress to make timely appropriations, and the holding back of supplies, have done much to irritate the Indians, who, in many instances, have starved and frozen to death on account of the delay in their delivery. The failure of the Government to afford protection to their lives and property upon their own reservations, where they have been guaranteed perfect security and uninterrupted tranquillity, has also had its influence in destroying the confidence of the Indians in our sincerity. But, among other existing causes for our troubles, there have been unprovoked, cold-blooded murders of peaceable Indians by roving adventurers in the West, and the indiscriminate slaughter of individuals, families, and whole camps even, by the Federal soldiery; to a few instances of which I will call the attention of the House.

An outrage so horribly cruel as to exceed almost the bounds of belief was committed upon the Indians at Fort Kearny in 1856. The facts were substantially as follows: two young Indians belonging to a party of Cheyennes were sent to the road to beg some tobacco of the driver of a mail wagon. The driver fired upon them, whereupon one of them, as the Indians themselves afterward said, "being a fool and mad," shot an arrow and wounded the white man. The chief of the Cheyenne party, on seeing this, ran out with others to the protection of the mail driver, and punished the young Indian who had shot the arrow by whipping him according to the Indian laws. But this whipping did not wipe out the Indian boy's offense. An "Indian outrage" must, of course, be made out of the case and the military be called upon to avenge it. The next day, accordingly, the troops from the fort valorously sallied forth and attacked the Cheyenne party, who refused to fight them and ran away, leaving their horses, bows and arrows, and robes in camp. Six young braves remained behind to make something like a formal surrender. They went up to the soldiers, threw down their arms, and held out their hands in sign of submission, and were mercilessly shot down in cold blood when only a few yards from the troops.

During the summer of 1854 some bands of Sioux were encamped within six miles of Fort Laramie. They were regarded as friendly Indians, and were on terms of friendship with the officers of the fort. A man from a neighboring tribe, whose relations had the year before been slaughtered by the troops of the fort, happened to be among these bands of Sioux. Some Mormon emigrants passed by the Indian camp, and a cow escaped from them and ran

toward the Indian village. The Indian whose relatives had been killed, by way of revenge for the loss, killed the cow. Complaint was made at the fort, and the chiefs, on being called upon, said they would see that reparation was made for the damage which had been done. But this was not satisfactory to the commanding officer. He detailed a brevet lieutenant with a company to arrest the Indian. The company proceeded to the Indian camp with two pieces of artillery. Demand was made of the chiefs; but the offending Indian said to them:

"I have taken a lodge here. I am willing to die: you have nothing to do with the matter; the responsibility is not upon your people, but upon me alone."

This remark was no sooner made to the lieutenant than he fired, killing one man and crippling the principal chief. The chiefs rallied and exhorted the men to commit no outrage. Their influence controlled the action of the Indians; but a drunken interpreter excited the lieutenant and caused him, perhaps, to fire his cannon. The next thing was the sounding of the war-whoop, and the lieutenant and some of his men were killed. The others ran and were pursued by the Indians, and every man of them was slaughtered.

Who will say, reasoning from analogy and common sense, and especially from a philosophical view of Indian character, that the whites were not to blame in this case? And yet, concealing or distorting the facts, the ears of the public were made to tingle with the report of "another Indian massacre," and an official announcement from the War Department deluded the Government and people into a belief that the affair was an ambuscade and part of a deliberate plan on the part of the Indians to massacre the troops and plunder the fort.

I will now cite another glaring case of injustice toward the Winnebagoes, a tribe of Indians formerly located in that portion of the northwestern territory which is now embraced within the State of Wisconsin. Our first treaty with these Indians was in 1816; since then we treated with them in 1829, 1832, 1837, 1848, and 1855. In 1862 we find the Winnebagoes located upon a beautiful reservation in the State of Minnesota, where they were prosperous and happy, many of them having acquired a practical knowledge of agriculture and the mechanical arts. Their treaty of February, 1855, had guaranteed to them a permanent home on a reservation eighteen miles square, and a large sum of money. There they had erected their houses, opened their farms, and remained perfectly peaceable. It was at this time that the Sioux outbreak took place in that State, but the Winnebagoes remained steadfast to their treaty obligations. But their time had again come. Their reservation, their lands, their homes were demanded by the people of Minnesota. The permanent homes which the Government had guaranteed to them must be



abandoned. Their attachment to the graves of their fathers and friends availed them not. The Government assented; it lent its aid to forcibly violate its own solemn treaty with these friendly Indians, and without the least valid excuse forced them from their comfortable homes to a barren and inhospitable country five hundred miles westward on the Missouri river. There hundreds of these friendly Indians died from exposure and starvation. When sickness and suffering compelled them to seek the settlements for succor they were forced back by military power over stones and ice, marking their trail with the blood that trickled from their lacerated feet.

I have seen among these same friendly Winnebagoes, while thus persecuted by the sanction of the Government, the starving infant struggling with fretful cries at the breast of a dying mother to draw the warmth of life from those nipples chilled and milkless under the embrace of death. Hundreds of these people died then, and their bones are bleaching upon those inhospitable plains as monuments of foul disgrace to our nation, by whose oppressive policy these innocents have been destroyed.

But all of these atrocities pale into insignificance before those committed upon the Indians of California, Oregon, and Washington Territories on the western slope.

The massacre by Chivington at Sand creek, in Colorado, by which hundreds of men, women, and helpless children were butchered in cold blood, is another striking instance of our cruelty.

During the massacre in Minnesota, in 1862, several white women and children were taken captives and carried to the Upper Missouri. Through the interposition of Colonel Galpin and a number of friendly Sioux, who exchanged their own horses for them, two women and five little girls were ransomed and returned to their friends in Minnesota. The Indians who had performed this act of humanity traveled down to the Yankton agency, a distance of four hundred miles, where they were to be reimbursed for this act by the Government. Week after week passed away, and neither clothing nor food came to the relief of these faithful friends. Despairing of early relief, one morning ten of their number came to me for a letter, stating who they were, and obtained permission to go out and hunt for the support of themselves and families. The third morning out, and when on Ponca creek, about twenty miles back of Fort Randall, which post was then garrisoned by the sixth Iowa cavalry, a Captain Moreland, in command of some twenty men, overtook them. They presented him with the letter I had given them for protection, whereupon the captain requested them to leave their arms and go with him to the fort for food. The Indians obeyed, but had not proceeded eighty rods when the brutal captain ordered his men to fire upon the

Indians, who were in advance, and murdered nine out of the ten in cold blood on the spot. The tenth member of the party escaped and bore the horrible tidings of this damnable tragedy to his kindred far up the Missouri, while the bones of his comrades still remain on that fatal spot to chronicle the foul deed and point unmistakably to the cause of the Sioux war which followed with fearful and just retaliation, and cost the Treasury of the nation more than \$30,000,000 and the loss of hundreds of innocent lives.

These and other outrages of a kindred character, added to the causes heretofore named, are the source of all our difficulties with the Indians of this country, while most of the tribes located on reservations with annuities, and under the control of agents, have remained peaceable and friendly in spite of the oft-repeated declaration that the dishonesty of these agents has been the sole cause of our difficulties with the people. The only Indian tribes that have been properly protected in the peaceable possession of their reservations since the adoption of the Federal Constitution are those that have been under State and not under Federal rule. In no instance have these tribes commenced any hostilities against the State or Federal authority. The New York and New England Indians, members of the most warlike tribes in colonial times, have never exhibited a single act of hostility during the past eighty-five years; and as the cordon of civilization has been drawn more closely around them they have abandoned their nomadic and savage habits and adopted and cultivated the arts of civilized life.

In view of these facts, which are the result of eighty-five years' experience, and in view of the utter failure of the Federal management of Indian affairs and the destruction of the noblest of the tribes under its charge, it is a question for the gravest consideration of Congress whether it would not be better to turn over to the States and Territories the future management and control of the Indians within their borders. Such a change can by no possibility place the Indians in a worse situation than they are now under the control of the General Government. It might save them from further wars and desolations, and the national Treasury from the enormous drain produced by fraud, military ambition, lawless rapine, and interminable wars resulting therefrom.

The Federal power is too far removed from these helpless children in the far West to be able to defend them against rapacious frontiersmen, who seek incessantly to destroy them and to possess their property, while the State and the territorial authorities are on the ground, ready and willing to do justice. None are so well fitted to take charge of our Indian tribes as the people who reside with them, whose lives and prop-

erty, whose wives and children are within the reach of the tomahawk and scalping knife; who are themselves always vitally interested in maintaining peaceful relations with the Indians by a uniform course of just, fair, and impartial dealing. No people are so susceptible to and more permanently affected by generous and kind treatment—none more proud, vindictive, and resolute in avenging their wrongs—than the North American Indians.

But, sir, we have exhausted our theories and must face the practical question which now presents itself to us, and from which there is no escape. Aside from the humane and Christian view of the subject, which appears to have been utterly disregarded by our Government in all of its recent dealings with the Indian tribes of the country, we are met here to-day with the earnest, practical question of peace upon the terms of returning national justice and good faith, or of a long and bloody war, waged and prosecuted by the poor, neglected, starving tribes for the God-given right to live. War, with all its cruelties and the lasting train of more destructive evils, has been resorted to and failed. Hundreds of millions from the Treasury of the nation have been expended in trying to exterminate the Indian race by our system of military murders. But, sir, thus far our force has proved unavailing. Our Army, when marshaled against these people by our most renowned leaders, has been shorn of all its power and its glory save that which crowns the murderer's efforts and entwines itself in serpent coils around the assassin's brow. Some inscrutable power nerves the arms and fires the hearts of the race in its apparently unequal struggle for existence; and judging from the past, our national Treasury will be bankrupt and our country disgraced long before the Indian tribes of the West will be forced into submission by the military power of the Government.

Our Indian wars are costly. The interest of the money expended in the Florida war exceeds double the amount required for our whole Indian service. The Sioux war cost more than thirty million dollars, the bare interest of which is sufficient to subsist the whole Sioux nation through all coming time. Since that time our Indian wars have cost tens of millions, and are still costing many million dollars a year, every dollar of which is voted by this House without a word of complaint. But, sir, let some member get up here and venture to ask an appropriation of the interest of the amount annually expended in keeping up our western armies, to clothe and provision the Indians, and a cry of opposition will be raised that knows no bounds.

But gentleman ask what line of policy do you propose? How are we to reunite the broken cords of friendship and maintain friendly relations with our Indian tribes? There is noth-

ing easier than this. We have but to reverse our past method of dealing with them; treat them kindly, deal justly, and convince them by our acts of humanity and justice that we sincerely desire to befriend and save them. Extend the warm hand of a brother and raise them from their low estate to a position where life will be a blessing, and not a curse. Then will the Indian, whom we have alienated and driven away, lift up his drooping head; the long lost smile will again lighten up his countenance, and he will meet us more than half way in our work of pacification, justice, and humanity.

Instead of sending soldiers armed with instruments of death and munitions of war to demoralize, degrade, and murder them, let us send philanthropists laden with food and clothing to feed the hungry and clothe the naked, and all the implements of peace necessary for their physical, mental, and moral advancement. Make comfortable homes for the poor, wandering tribes, feed and clothe them until they become sufficiently advanced in the arts of civilized life to provide for themselves. Teach the rising generation to till the soil, instruct them in the mechanic arts, in all the varied duties of domestic life, and raise them as rapidly as possible toward our own standard, thereby fitting them for a better mode of life, and their incorporation as citizens into the States and Territories of the Union.

No class of men are so easily managed, more harmless and reliable, than the North American Indians when once you possess their confidence; none more unmanageable, relentless, and cruel than they when that confidence is destroyed by wrongs and oppression.

But we are told that the expense to the Government of feeding, clothing, and providing homes for our two hundred and fifty thousand Indians will require an enormous annual expenditure. Let it be remembered that nearly or quite one half of them are already on reservations of some sort, and that they have given us very little trouble. The cost to the Government of keeping the peace and supporting them does not exceed \$2,000,000 a year. If this policy is adopted and put into practical operation it will be found that for every dollar expended in support of our Indians we shall save five times this amount, which now goes to support the Army in the Indian country.

I am informed that there are now two deficiency appropriations asked for—one of \$500,000 for feeding and taking care of some twelve thousand Indians for eight months, under the charge of General Harney, in the Sioux district; the other for \$13,000,000, for carrying on our present Indian war in the southwest for the last six months against a much smaller number of Indians. I have learned to-day that there are now engaged in the Indian country and on our western frontiers about forty regiments of troops, including one regi-



ment of cavalry raised in the State of Kansas, which has been in service since last October. The expense to the Government in carrying on this war will exceed \$40,000,000 a year if allowed to continue. Instead of protecting the inhabitants of the frontiers they increase their danger; more than two hundred and fifty having been murdered within the past few months. I do not wish to be understood as imputing to the War Department either dishonesty or extravagance. It is the policy alone that I object to. War is at all times costly, especially when carried on as this one is in a country so remote from the source of supplies that the expense of transportation doubles, trebles, and in many cases quadruples their original cost.

If this House would take the trouble to ascertain the annual cost to the Government of keeping up the military establishments of the West, which can have no other object than to operate in the Indian country, it will be found to exceed their conceptions so far as to overshadow the comparatively insignificant amount now expended for the civil Indian service of the country, and stop the cry of extravagance whenever an appropriation is asked for feeding and clothing these people. Three years ago I proposed a plan to this House which looked to the setting apart of a large reservation in the northwest for the exclusive use and occupancy of all of the Indian tribes north of the Platte and east of the Rocky mountains; also, another reservation in the remote southwest for the Indians south of the Platte and east of the Rocky mountains. I am still of the opinion that this is the true policy so far as the uncivilized tribes are concerned; and that one or two other reservations should be set apart on the Pacific coast for the location of the tribes west of the Rocky mountains.

Upon these reservations all of the tribes should be located except those now provided for and which are advancing in civilization and toward citizenship. This course will close our Indian wars forever; this will restore peace, permanent and enduring in its character. It will do away with the necessity for at least two thirds of our Army. It will save from fifteen to thirty million dollars annually to the national Treasury. It will save hundreds of valuable lives every year. It will obviate untold miseries, atone for our national injustice, and reclaim the poor, neglected, down trodden Indians from their present state of abject misery and restore them to the enjoyments of life and its attendant blessings, which are the free gift of God to all of his children.

Nearly two years ago Congress authorized and sent into the Indian country a commission composed of some of the first men in the civil and military service. After a thorough investigation had in the heart of the Indian country, and after having sought all the information which promised to throw light upon the subject,

these commissioners were forced to the conclusion that the principle cause of our troubles with the warlike tribes is due to the invasion of their country by the whites, our cruelty toward them, and the bad faith manifested on our part in not fulfilling the treaty stipulations which exist between them and the United States.

It was agreed by the commissioners that good faith on the part of the Government toward the Indians, whose means of subsistence we have destroyed and whose homes we have invaded, as well as economy in carrying on the Government, demanded a radical change, and that a pacific policy was the only one which held out a promise of success. Accordingly, treaties were negotiated with most, if not all, of the hostile tribes east of the Rocky mountains, and although the stipulations for food and clothing were long delayed by the Government the thirty thousand Sioux who were parties to the treaty remain perfectly friendly to-day, and will continue so as long as the United States fulfills its part of the said treaty.

General Harney, an officer of the regular Army, who has seen more than fifty years of honorable service, much of which has been in the Indian country, was selected as one of the commissioners. He was present and took part in making all of these late treaties. He knew just what they contained, what they meant, and was wisely selected to take charge of the large district which had been set apart for the sole use and occupancy of the Sioux nation. It was late in the season when this veteran officer undertook the herculean task of locating and feeding these Indians through the approaching winter. The only means of transportation to the district was up the Missouri river, the waters of which were so low as to more than double the cost of transportation. There had been but \$200,000 placed in his hands to enable him to carry into effect the solemn treaty with the Sioux, who, upon the faith of its guarantees, had just abandoned the war path and pledged themselves to a future life of peace and friendship. The number of Indians who, by the terms of this treaty, were to receive a pound of beef and a pound of flour per day exceeded twenty-five thousand in number. Provision had to be made to feed them for at least six months. After making allowance for those who could not get into the reservation before spring, it was estimated that fifteen thousand would have to be subsisted for at least six months before supplies could reach them in the spring. This alone would require three million six hundred thousand pounds of beef, which, at a cost of—

Two cents per pound, amounts to.....	\$432,000
And 3,600,000 pounds of flour, at ten cents per pound.....	360,000
Total.....	\$792,000

In addition to these articles it was provided by treaty that houses should be built, saw-mills erected, horses and cattle purchased, farming and mechanical implements supplied for the use of the Indians; for the faithful performance of which General Harney was provided with the insignificant sum of \$200,000. He went forward, encountered the difficulty, and overcame it. He realized that the issues of peace and war were in his hands. To fail to carry out the letter and spirit of the treaty was to rekindle the flame of a long, cruel, and costly Indian war throughout the Northwest, while the discharge of the national obligation promised the enjoyment of peace and tranquillity throughout that entire section of the country which had so long been the scene of savage warfare. By the honest, fearless, and determined efforts of this just man, this true patriot and philanthropist, the peace and safety of our frontiers have been secured, a long and cruel war arrested, and millions of dollars saved to the Treasury, while the warmest gratitude of unnumbered thousands of our citizens in the Northwest attest the value of the meritorious services which he has rendered to them and the country.

But two methods for the adjustment of these difficulties are now thought of. That proposed and so successfully inaugurated by the peace commission commends itself to the

favorable consideration of the Christian statesman, the philanthropist, and the true economist. By its adoption the Indians will witness our returning good faith and rejoice; they will abandon the war-path and settle down upon their reservations; peace and safety will reign uninterruptedly throughout our entire territorial domain; hope will once more be lighted in the red man's heart, and the spirit of his brave progenitors will again elevate his depressed nature. On the contrary, if war, murder, robbery, and rapine are to be persisted in, and the policy of extermination, or subjugation even, is to be carried out, our frontiers are doomed to a fresh baptism of fire and blood unparalleled in the history of Indian warfare, and our national Treasury will be doomed to inevitable bankruptcy.

Mr. Speaker, I have entered on the last month of my congressional duties. I neither ask nor desire political honors. A sense of duty alone has prompted me to the consideration of this subject. On the page of my country's history these feeble utterances in behalf of this downtrodden race will stand as a lasting admonition of past cruelty and neglect toward all the Indian tribes of this country, and as a warning of judgments to come, if time continues and God reigns, unless we discharge the obligations which He has imposed upon this Government toward this oppressed and persecuted people.